

**Minges, Allison**

**From:** Butler, David  
**Sent:** Tuesday, April 6, 2021 1:31 PM  
**To:** Charles L. A. Terreni  
**Cc:** Nelson, Jeff; Grube-Lybarker, Carri; Hall, Roger; PSC\_Contact; Michael Cartin; Craig Sorensen  
**Subject:** RE: [External] Re: Docket Nos. 2021-116-S and 2021-117-S - Performance Bonds for Palmetto Utilities, Inc. and Palmetto Wastewater Reclamation, LLC

Thank you, sir.  
 David Butler

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**From:** Terreni, Charles L.A. <charles.terreni@terrenilaw.com>  
**Sent:** Tuesday, April 6, 2021 1:27 PM  
**To:** Butler, David <David.Butler@psc.sc.gov>  
**Cc:** Nelson, Jeff <jnelson@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; PSC\_Contact <Contact@psc.sc.gov>; Michael Cartin <mcartin@swwc.com>; Craig Sorensen <csorensen@swwc.com>  
**Subject:** [External] Re: Docket Nos. 2021-116-S and 2021-117-S - Performance Bonds for Palmetto Utilities, Inc. and Palmetto Wastewater Reclamation, LLC

Dear Mr. Butler:

The companies are obtaining the new letters of credit and should have them this week. We plan to file the letters of credit before the expiration of the existing performance bonds and request the Commission's approval *nunc pro tunc*. We will have them reissued if the Commission requires any changes.

*Charlie Terreni*

Charles L.A. Terreni  
 Terreni Law Firm, L.L.C.  
 1508 Lady Street  
 Columbia, South Carolina 29201  
 Telephone (803) 771-7228  
 Fax (803) 771-8778  
[charles.terreni@terrenilaw.com](mailto:charles.terreni@terrenilaw.com)  
[www.terrenilaw.com](http://www.terrenilaw.com)

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On Tue, Apr 6, 2021 at 1:00 PM Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)> wrote:

To Mr. Terreni:

I have two matters for your attention:

1. Would you consider filing copies of the new proposed Performance Bond and Surety with the Commission for Palmetto Utilities, Inc. and Palmetto Wastewater Reclamation, LLC, so that the Commission could study the terms of each as they consider approval of these as substitutes for current filings?
2. With regard to the specific situation of Palmetto Wastewater Reclamation, LLC, ORS notes that the Letter of Credit currently on file with the Commission as Surety will expire on April 10, 2021. The Commission will not be able to consider the new proposed Performance Bond and Surety until at least April 14, 2021. ORS proposes that the new Performance Bond should be filed with the Commission on or before April 10, 2021 to ensure continued surety for PWWR's Performance Bond. I would note that no such filing has been received by the Commission as of today, and the potential gap in the surety is a very real concern. I wanted to inquire what plans, if any, that PWWR might have to address this concern.

Thank you for your consideration in these matters.

David Butler

Chief Hearing Officer